## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CHARLES ZVONEK, : No. 3:20cv1185

**Plaintiff** 

(Judge Munley)

POLICE OFFICER BRANDON
WALTERS, in his individual and
official capacities; DICKSON CITY
POLICE DEPARTMENT; DICKSON

CITY; and DEBRA BARTHOLD,

Defendants

**ORDER** 

AND NOW, to wit, this day of February 2024, it is hereby ORDERED as follows:

- The motion to dismiss filed by Defendants Police Officer Brandon
   Walters, Dickson City Police Department and Dickson City (Doc. 11) is hereby
   DENIED;
- 2) The motion to dismiss filed by Defendant Debra Barthold is **GRANTED** with respect to Count V Conspiracy to Violate Civil Rights, under 42 U.S.C. § 1985 and **DENIED** in all other respects; and
- 3) Pursuant to plaintiff's consent, the following claims are **DISMISSED** against Defendants Police Officer Brandon Walters, Dickson City Police Department, and Dickson City: abuse of process; municipal liability under

Monell, including failure to supervise and train; claims against Defendant Walters in his "official" capacity; declaratory relief; claims for injunctive and prospective relief; section 1985 conspiracy; and

4) Also pursuant to plaintiff's consent, the punitive damages claims against Dickson City and the Dickson City Police Department are **DISMISSED**.

BY THE COURT:

JUDGE JULIA K. MUNLEY
United States District Court